

HON. MR. JUSTICE KELLY.

JANUARY 23RD, 1913.

LOVELAND v. MCNAIRNEY.

4 O. W. N. 680.

Injunction—Receiver—Endorsement on Writ—Amendment of.

Motion for an injunction and a receiver and for leave to amend the endorsement on the writ of summons.

J. T. White, for the plaintiff.

R. McKay, for the defendant.

HON. MR. JUSTICE KELLY:—On the merits the plaintiffs are not, in my judgment, entitled to a receiver or an injunction, and their application fails.

In this view of the matter I see no reason for amending the endorsement on the writ of summons.

The motion will be dismissed with costs.

DIVISIONAL COURT.

DECEMBER 16TH, 1912.

POWELL-REES LIMITED v. ANGLO-CANADIAN
MORTGAGE CORPORATION.

4 O. W. N. 499.

Contempt of Court—Motion to Commit—Refusal to Answer Questions on Examination—Order of Divisional Court—Scope of—Con. Rules 902, 910 — Officer of Corporation — Provisional Director.

Motion for an order committing one Reynolds, by reason of his alleged disobedience of an order of Divisional Court herein (see 26 O. L. R. 490), in refusing to answer certain questions put to him on his examination ordered by the said order.

Reynolds contended that the order should be given a very strict construction, as he claimed it was made under Con. Rule 910.

SUTHERLAND, J., *held*, 23 O. W. R. 456; 4 O. W. N. 352, that under the order of the Divisional Court, Reynolds could be examined as fully as if an officer of the company, and directed him to attend at his own expense and answer such questions as should be put to him.

DIVISIONAL COURT amended a previous order of Divisional Court so as to allow above examination.

An appeal by E. R. Reynolds from above order of HON. MR. JUSTICE SUTHERLAND, heard in Divisional Court by HON. SIR JOHN BOYD, HON. MR. JUSTICE LATCHFORD, and HON. MR. JUSTICE MIDDLETON.